

Appl. No. 10/608,741
Reply to Office Action of March 2, 2006

REMARKS

In the March 2, 2006 Office Action, claims 1-4, 13-16 and 18-20 were rejected, and claims 5-11 were objected to. Reconsideration of the application is respectfully requested in view of the above amendments and the following remarks.

A. Allowability of Claim 1 in Accordance with Prior Office Action

In the Office Action dated 11/1/2005, the Examiner (in paragraph 6), noted that claim 12 was objected to merely because it is was based on a rejected base claim, but was otherwise allowable. Applicants therefore amended claim 1 to include the limitations of claim 12, and cancelled claim 12. In the present Office Action, however, and to Applicants' considerable surprise, the Examiner has rejected claim 1 under Section 103(a) based on an argument that is inconsistent with the prior Office Action. That is, Claim 12 was not previously rejected based on any prior art references. Applicants suspect that this was an inadvertent error, and respectfully request that the Section 103 rejections be withdrawn, and/or that the present Office Action be re-issued consistent with the prior office action.

B. Claim Rejections – 35 U.S.C. § 103

Claims 1-4, 13-16, and 18-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over alleged "admitted prior art" in view of U.S. Pat. No. 4,534,602 (the "Bley reference"). These rejections are respectfully traversed.

As mentioned above, the Examiner previously indicated that original claim 12 was allowable. The pending claim 1 incorporates the limitations of original claim 12, and for at least that reason is allowable.

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation to modify a reference or to combine the teachings of multiple references. Second, there must be a reasonable expectation of success. Third, the prior art must teach or suggest all of the recited claim limitations. Of course, the teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in Applicant's disclosure. Applicant respectfully submits that the Examiner has not met all of the above criteria.

Appl. No. 10/608,741
Reply to Office Action of March 2, 2006

The current independent claims recite that the “conductive elastomeric gasket [is] electrically connecting one or more components in contact with said conductive elastomeric gasket to reduce radio frequency coupling with one or more additional interconnects” (language of original claim 12, now cancelled). The Bley reference merely shows a gasket 8 that surrounds coaxial connectors that extend therethrough (see, e.g., Fig. 1A). There is no suggestion that the gasket 8 connect to components to reduce RF coupling.

Examiner’s new argument regarding this element is that “since the conductive elastomeric gasket is used to provide shielding for connectors, one of skilled [sic] in the art would recognize that the shielding would be used for reducing or RF coupling.” Applicants disagree with this characterization, which is merely conclusory, and does not address the actual limitation – i.e., a conductive elastomeric gasket (not shielding), contacting one or more components, and which reduces RF coupling with the “one or more additional interconnects.” That is, Applicants respectfully submit that this rejection does not address the independent claims as amended, and that the Examiner’s additional allowance of this claim under the previous office action was in fact correct.

Similarly, none of the cited references, taken alone or in combination, disclose a “conductive elastomeric gasket for each of said plurality of openings for shielding and coupling said integration plate to a ground plane of said second module” as recited in claim 13. Nor do the references disclose “placing at least one conductive elastomeric gasket in proximity to each interconnect such that said conductive elastomeric gasket contacts said first component and a second component” as recited in amended claim 18.

In addition, Applicants continue to disagree with Examiner’s characterization of “applicant’s admitted prior art” of “Figs 1-2.” Specifically, the Examiner states that this alleged admitted prior art “discloses a prior art radio frequency system which would include all the claimed limitations . . . except for a conductive elastomeric gasket shielding a portion of compressible bellows interconnects.” Applicants submit that this characterization is inaccurate.

Furthermore, Applicants submit that there is no motivation in either the Bley reference or the alleged admitted prior art to make the suggested combination. The simple fact that both deal with RF interconnect systems is not enough to establish a prima facie case of obviousness. It appears that Examiner is engaging in hindsight reconstruction based on the detailed

Appl. No. 10/608,741
Reply to Office Action of March 2, 2006

description in the present invention. Accordingly, Applicants respectfully request that the Section 103 rejections be withdrawn.

C. Allowable Subject Matter

The Examiner states that 5-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Applicants note that claim 12 (which is not currently pending) was previously cancelled and incorporated into independent claim 1, rendering claim 1 allowable as well.

D. Conclusion


For at least the reasons given above, all claims now presently in the application are believed allowable and such allowance is respectfully requested. Should the Examiner have any questions or wish to further discuss this application, Applicants request that the Examiner contact the undersigned attorney at (480) 385-5060.

If for some reason Applicants have not requested a sufficient extension and/or have not paid a sufficient fee for this response and/or for the extension necessary to prevent abandonment on this application, please consider this as a request for an extension for the required time period and/or authorization to charge Deposit Account No. 50-2091 for any fee which may be due.

Respectfully submitted,

INGRASSIA FISHER & LORENZ

Dated: May 2, 2006

By: 

Mark M. Takahashi, Reg. No. 38,631
(On behalf of Daniel R. Pote Reg. No. 43,011)
(480) 385-5071